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JUN 14 2004

HAINES BOROUGH

ORDINANCE NO. 03-11-035

Local Boundary Commission

AN ORDINANCE OF THE HAINES BOROUGH AMENDING SECTION 9.01 OF THE HAINES BOROUGH CHARTER PURSUANT TO A VOTE OF THE PEOPLE AT THE OCTOBER 7, 2003 REGULAR ELECTION.

BE IT ORDAINED:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Charter.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective immediately upon adoption.

Section 4. Purpose. To amend Section 9.01 of the Haines Borough Charter pursuant to a vote of the people at the regular election held October 7, 2003. It is amended to read:

PLEASE NOTE: UNDERLINED ITEMS ARE TO BE ADDED.

Section 9.01 Annual Budget and Capital Improvements Program

The operating budget shall be a complete and balanced financial plan for all operations of the Borough, showing all reserves, estimated revenues from all sources, and the proposed expenditures for all purposes in the upcoming fiscal year. Except as provided in this section, the proposed expenditures for all purposes shall not exceed total estimated revenues from all sources. It shall also include a comparative statement of actual expenditures and revenues for the preceding year and projection for the current year.

The capital budget shall be the portion of the annual budget detailing the planned capital improvements for the upcoming fiscal year and their source of funding.

The capital improvements program (CIP) shall be a plan detailing expected capital improvements for the next six fiscal years, the predicted costs, and proposed method of financing them.

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Upon adoption by ordinance, the operating budget, capital budget, and CIP shall be the appropriations that govern all spending by the Borough.

(A) Fiscal year. The fiscal year of the Borough shall begin on the first day of July and end on the last day of June the following year.

(B) Submission and presentation. No later than April 1 of the current fiscal year, the manager shall present to the Assembly the six-year CIP and the proposed operating and capital budget for the following fiscal year. The presentation shall include a written explanation of the budget and CIP focusing on the work to be done and the financial policies that will direct the funding of that work.

(C) Hearing and Assembly Action. The Assembly shall hold at least two public hearings on the proposed annual budget no later than June 1. At least ten days prior to each hearing, the Assembly shall publish in a general circulation newspaper a summary of the budget and notice of public hearing. Copies of the proposed budget shall be made available to the public.

(D) Assembly Action and Executive Certification of Budget. The Assembly by ordinance shall adopt a budget and establish tax levies not later than June 15. If it fails to do so, the budget and tax levies submitted by the manager shall be deemed adopted by the Assembly as the annual budget. **Except as provided in this section, total expenditures in the budget shall not exceed the total estimated revenues from all sources.** The Assembly by ordinance may provide for additional procedures regarding submission.

The manager shall certify the annual budget and CIP, making them part of the public record.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY ON THE 3rd DAY OF DECEMBER, 2003.

Mike Case, Borough Mayor

Attest:

Julie Cozzi, Borough Clerk

Date Introduced:	11/05/03
Date of First Public Hearing:	11/19/03
Date of Second Public Hearing:	12/03/03

HAINES BOROUGH CHARTER

Section 17.02 Procedure

Amendments to this charter may be proposed by ordinance approved by the assembly, by a charter commission established in the manner provided by law, or by initiative petition. Proposed amendments shall be submitted to the voters at the next regular or special election occurring more than forty-five days after the adoption of the ordinance, the final report of the charter commission, or certification of the initiative or referendum petition.

If the proposed amendment is approved by a majority of the voters, it becomes effective at the time set in the amendment; or, if no time is set, it takes effect thirty days after certification of the results of the election.

If more than one amendment is proposed, each amendment shall be submitted to the voters as a separate question.

Section 17.03 New Charter

A new charter may be proposed and approved in the same manner as an amendment.

Section 17.04 Ballot Form

When an amendment to this charter is proposed for adoption by the voters, the ballot proposition shall contain any current wording that is proposed to be changed as well as any proposed wording that will replace it. As much surrounding language shall be included as needed to provide a context for understanding the change in the provision.

Section 17.05 Filing

Amendments to the charter shall be filed as follows:

- (a) the lieutenant governor -- two copies;
- (b) the Alaska Department of Community and Regional Affairs -- two copies;
- (c) the district recorder -- one copy;
- (d) the borough clerk -- one copy.

ARTICLE XVIII GENERAL PROVISIONS

Section 18.01 Conflict of Interest

An elected borough officer may not participate in any official action in which he or a member of his immediate family has a substantial financial interest unless after disclosure of the interest his participation is approved by a majority of the body. This prohibition shall be implemented in the manner provided by law, including provision for public disclosure of substantial financial interests

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